

CITY OF WATAUGA, TEXAS
ORDINANCE NO. 2020-020

AN ORDINANCE BY THE CITY COUNCIL OF THE
CITY OF WATAUGA, TEXAS, REPEALING
ORDINANCE 2020-016, TEMPORARILY
SUSPENDING ENFORCEMENT OF UTILITY LATE
FEES ON PAST DUE AMOUNTS AND DISCONNECT
ACTIONS UNDER SECTIONS 442.85, 42-88, and 12-
426-(f), WATAUGA CODE OF ORDINANCES;
PROVIDING FOR REPEAL, PROVIDING FOR
SEVERABILITY, AND PROVIDING AN EFFECTIVE
DATE

WHEREAS, In response to the COVID-19 pandemic, on March 17, 2020, Mayor Arthur Miner proclaimed and declared, pursuant to the authority conferred upon the Mayor by the Watauga City Charter and Texas Government Code § 418.108, a local state of disaster within the City of Watauga, Texas, which was continued indefinitely by the City Council on March 23, 2020; and,

WHEREAS, on March 26, 2020, the Public Utility Commission of Texas ordered exceptions to its rules for electric, water, and sewer utilities, prohibiting the assessment of late fees and disconnection of customers when they cannot pay their utility bills; and

WHEREAS, the economic downturn that resulted from the COVID-19 pandemic made it difficult for many residents of Watauga to pay their bills and continue to care for themselves and their families for a period of time; and

WHEREAS, on April 20, 2020, City Council enacted Ordinance No. 2020-016 temporarily suspending utility bill payments and waived disconnection of service and any related fees pursuant to their authority under Section 552.001(b), Local Government Code, ; and

WHEREAS, the City Council finds that the temporary suspension of utility bill payments and disconnection fees established by Sections 42-85, 42-88, Watauga Code of Ordinances and their related fees found in Sections 12-42(e) and (f), Watauga Code of Ordinances, has served to protect the interest of the municipality, but is no longer necessary as disaster recovery is underway.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Watauga, Texas as follows:

I.

The facts and recitations set forth in the preamble of this Ordinance are hereby found to be true and correct.

II.

The City Council of the City of Watauga hereby repeals Ordinance No. 2016, thereby reinstating all utility late fees on past due accounts and utility disconnection actions for non-payment provided for in the City of Watauga Code of Ordinances, Sections 42-85 and 42-88, and Sections 12-42(e) and (f) that were temporarily suspended in response to the COVID-19 disaster.

III.

This Ordinance shall be and is hereby cumulative of all other ordinances of the City of Watauga, Texas and this Ordinance shall not operate to repeal or affect any of such other ordinances except insofar as the provisions thereof might be inconsistent or in conflict with the provisions of this Ordinance, in which event such conflicting provisions, if any, in such other Ordinances or Ordinances are hereby repealed.

IV.

If any section, sub-section, sentence, clause, or phrase of this Ordinance shall for any reason be held to be invalid, such decision shall not affect the validity of the remaining portions of this Ordinance.

V.

This Ordinance shall become effective and shall be in full force and effect from and after the date of passage and adoption by the City Council of the City of Watauga, Texas, and upon approval thereof by the Mayor of the City of Watauga, Texas, and publication hereof as prescribed by law.

PASSED AND ADOPTED by the City Council of the City of Watauga, Texas
this, the 13TH day of July, 2020.

APPROVED:


ARTHUR L. MINER, MAYOR

ATTEST:


ANDREA GARDNER, CITY SECRETARY



APPROVED AS TO FORM AND LEGALITY:


GEORGE HYDE, CITY ATTORNEY
Russell Rodriguez Hyde & Bullock LLP